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Appl. No. 10/767,669
Amdt. dated Oct. 30, 2006
Reply to Final Office Action dated Oct 6, 2006

Remarks/Arguments

Please disregard all proposed amendments which were denied entry.

The specification has been amended in paragraphs 0001, 0025, 0026, 0027, 0028, 0029 and 0032 to provide clear antecedent basis for all terms appearing in newly drafted claims 24-35. No new matter has been added.

It is noted with appreciation that the restriction requirement has been withdrawn and the presented claims, i.e. claims 10-23 stand for consideration.

It is further noted that the specification is indicated as lacking proper antecedent basis for certain terms such as clamping bracket 12 and holder tube 10.

In order to expedite prosecution, a request for continued examination (RCE) has been filed.

Claims 10 and 13-23, the pending claims, have been cancelled and replaced with claims 24-35. Claim 24 is generally equivalent to claim 10 and claim 25 is generally equivalent to claim 16. Claim 26 is generally equivalent to claim 13 and claims 27-35 are generally equivalent to claims 14, 15 and 17-23.

A terminal disclaimer re: U.S. Patent No. 6,830,352, has been recorded as noted in the papers dated 3/23/05.

The terminal disclaimer removes the rejection of claim 13. Accordingly, it is thought that claim 24 is allowable.

Claim 25 depends from claim 24 and is thought also to be allowable.

Claim 26 is directed to a mirror assembly including a holding element, a framing having a configured area and a bracket having a configured area, both configured areas being adapted to engage with the holding element.

Appl. No. 10/767,669
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The claim calls for a framing having a configured area and a bracket having a configured area adjacent upper and lower strips.

Finally, the claim calls for a plurality of connectors adapted to engage with the positioning apparatus, the framing and the bracket securing them with the holding element.

The relied on reference to Lang, '577 discloses a securing arm 101 engaged by clamping device 107 formed in support plate 106. There is no cooperation between the framing and the bracket to engage the holding arm as called for in the claim.

The reference Boddy '385 also does not disclose the recited structure. In Boddy, the holding arms 18 slidably fit into grooves 31 of housing 14. Members 32 enclose the grooves and allow lateral adjustment of the housing. The reference fails to disclose a framing, a cover, a bracket having upper and lower strips.

The references to Lang, et al '703 in view of Schultz '005 fails to teach the recited structure. Neither reference discloses a bracket having upper and lower strips adjacent a configured area adapted to engage the holding arm.

For these reasons, it is believed that claim 26 defines over the cited references.

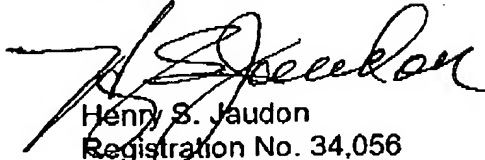
Claims 27-35 all depend from claim 26 and are also thought to be allowable.

For the above stated reasons, favorable consideration of claims 24-35 is respectfully requested.

A copy of newly presented claims 24-35 with identifying numerals for the various elements is attached to assist in locating the antecedent basis in the specification for the claimed terms.

Appl. No. 10/767,669
Amdt. dated Oct. 30, 2006
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Appl. No. 10/767,669
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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

Claim 1-23 (cancel)

Claim 24 (new): A rearview mirror assembly for attachment to a vehicle via a holding tube, the assembly comprising:

a mirror housing including a framing element defining a first recess configured to attach to the holding tube;

a clamping bracket defining a second recess configured to attach to the holding tube and disposed opposite of the framing element, the first recess of the framing element and the second recess of the clamping bracket cooperating to encase and clamp with the holding tube and releasably attach to each other;

the clamping bracket further configured to fastenably hold a mirror element; wherein,

one of the clamping bracket and the framing element has a hook element and one of the clamping bracket and the framing element has a snap connection, the hook element and the snap connection snap-connectable to secure the framing element and the clamping part together.

Claim 25 (new): The rearview mirror assembly of claim 24 wherein said clamping bracket is a plastic housing having at least a first opening therethrough and said framing

Appl. No. 10/767,669
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⁴ element has at least a second opening therethrough which aligns with said at least first opening, a connector ²⁶ passing through said clamping bracket and framing element securing said first openings ⁴⁰ of said clamping bracket and said at least a second opening of said framing element aligned and securing said first and second recesses with said ^{14 16} holding tube.

Claim 26 (new): A rearview mirror assembly for attachment to a vehicle comprising:

a holding element ¹⁰ carried by said vehicle;
 a mirror element ⁶ having a mirror pane ³⁰ attached to a carrier plate ³²;
 a positioning apparatus ³⁴ supporting said carrier plate ³²;
 a framing ⁴ having a configured area ¹⁴ adapted to engage with said holding element ¹⁰;
 a bracket, including an upper strip ¹² and a lower strip ⁴² and a configured area ⁴⁴ adjacent said upper and lower strip adapted to engage with said holding element ¹⁰;
 a plurality of connectors ²⁴ adapted to engage with said positioning apparatus ³⁴, said framing ⁴ and said bracket ¹² securing said framing and said bracket with said holding element ¹⁰ and said positioning apparatus ³⁴ with said bracket and said framing ⁴;
 wherein,

said mirror assembly is removably attached with said vehicle.

Claim 27 (new): The mirror assembly of claim 26 wherein said holding element ¹⁰ comprises a first arm ⁵⁰ separated from a second arm ⁵² and said configured area ¹⁶ adjacent said upper strip ⁴² of said bracket ¹² is engaged with said first arm ⁵⁰ and said configured area ¹⁶ adjacent said second strip ⁴⁴ of said bracket ¹² is engaged with said second arm ⁵².

Appl. No. 10/767,669
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Claim 28 (new): The mirror assembly of claim 27 wherein said configured area of at least said framing comprises a recess, said recess cooperating with the configured area of said bracket and said upper and lower strips to secure said mirror assembly with said holding arm.

Claim 29 (new): The mirror assembly of claim 26 wherein said framing and said bracket include a hood and a snap connection, said hook and snap connection cooperating to secure said framing and bracket together.

Claim 30 (new): The mirror assembly of claim 26 wherein said connectors secure said framing and said bracket with each other and said holding arm.

Claim 31 (new): The mirror assembly of claim 26 wherein said connectors secure said positioning apparatus with said bracket.

Claim 32 (new): The mirror assembly of claim 26 including a housing cover and a hook and hook connectors carried by said housing cover and said framing, said hook and hook connectors securing said housing cover with said framing in position covering said bracket.

Claim 33 (new): The rearview mirror assembly of claim 26 wherein, said configured areas comprise recesses with at least selected of said recesses having one of a projection and an indentation, wherein said holding arm includes one of said projections and indentations and said projections and indentations are positioned to inter-engage when said framing and said bracket are secured about said holding arm securing said framing and said bracket against rotation.

Appl. No. 10/767,669
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Claim 34 (new): The rearview mirror assembly of claim 26 further comprising a housing cover releasably attached to the framing, the housing cover being made of acrylonitrile butadiene styrene (ABS) and framing being made of fiberglass reinforced plastic.

Claim 35 (new): The rearview mirror assembly of claim 26 wherein the carrier plate is acrylonitrile butadiene styrene (ABS) and 30% fiberglass, the carrier plate having a thickness of between one and one and one-half millimeters.